



COUNTY COMMISSIONERS

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PUBLIC HEALTH AND SOCIAL SERVICES DEPARTMENT

August 17, 2016

Tom Stuebner, MSPH
Director

Rachel C. Wood, MD, MPH
Health Officer

Jon Jennings
Washington State Department of Ecology
Water Quality Program
PO Box 47696
Olympia, WA 98504-7696

RE: Draft Concentrated Animal Feeding Operations General Permits (draft CAFO permits)

Mr. Jennings,

Thurston County appreciates the opportunity to review and submit comments on the draft CAFO permits.

Thurston County supports non-point source pollution prevention efforts. Ecology's draft CAFO permits make incremental progress in the protection of water quality and public health. Please consider the following when finalizing the permits:

As a Phase II Municipal Stormwater permittee, Thurston County is assigned Total Maximum Daily Load (TMDL) wasteload allocations and implementation actions to improve the quality of discharges to waterbodies impaired in accordance with Section 303(d) of the Clean Water Act. Those TMDL implementation actions are incorporated into the [Western Washington Phase II Municipal Stormwater Permit](#) as enforceable permit conditions.

The preliminary draft CAFO permit included language in Condition S3.B for *Compliance with Total Maximum Daily Load Requirements*. However, that language was omitted from the draft CAFO permits. The removal of this language makes the CAFO permits inconsistent with the approach taken with other NPDES and state waste discharge general permits issued by Ecology. Thurston County recommends that Ecology incorporate language into the final permits requiring CAFOs within affected watersheds to comply with any applicable TMDL implementation actions as a condition of their permit. Ecology's [2016 Sand and Gravel General Permit](#) contains an example of appropriate TMDL language in Condition S3.G.2-5.

Thurston County actively engages in hydrogeological monitoring and modelling to assess risk and identify potential impacts to surface and groundwater quality which may be a resource in aiding Ecology in making *significant contributor of pollutants* determinations. Understanding the locations of facilities and any associated land application sites requiring cover under the CAFO

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permit in Thurston County will help to ensure that our hydrogeological analysis and conclusions factor in this information. As the CAFO permit system is implemented we will contact you about operations located in Thurston County.

The draft permit requires Permittees to export manure when they determine that CAFO operations generate more nutrients than may be applied to fields under their control. The final permit should provide greater assurance that manure exported off-site will be properly managed. For example, Ecology could expand the reporting and record-keeping requirements to include data necessary to assess the potential impacts from exported manure.

Ecology should describe how the information generated by the one-time lagoon report will be used, and what will be done to bring deficient lagoons into compliance.

Thurston County supports Ecology's proposal to include the minimal technical standards for Nutrient Management Plans (NMPs) as permit conditions. This clarifies the expectations for NMPs to be based upon *all known available and reasonable methods of prevention, control and treatment* (AKART). However, Thurston County is concerned about Ecology's proposal to remove the NMP review and acceptance loop. Systematic NMP review and feedback would help agencies and permittees resolve site-specific NMP deficiencies, implement AKART, and prevent discharges that could cause or contribute to violations of water quality standards.

Thank you again for the opportunity to submit comments on the draft CAFO permits. If you have any questions regarding our comments or how the County can assist Ecology in making informed permitting decisions within Thurston County, please contact me at 360-867-2587, starrya@co.thurston.wa.us or Jane Mountjoy-Venning at 360-867-2643, or venningj@co.thurston.wa.us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Art Starry", with a horizontal line extending from the end.

Art Starry, R.S.
Environmental Health Division Director

Cc: Jeff Killelea
Larry Schaffner
Jim Bachmeier
Jane Mountjoy-Venning